

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-19 are currently pending. Claims 1, 3, 5, 7, 9, 11, 13, 16 and 19 are independent. Claims 1, 2, 5-8, 11-15 and 19 were allowed. Claims 3, 4, 9, 10, and 16-18 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, specifically on pages 13-16. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Title to the present application is hereby amended. Further, Abstract to the present applicant is amended as suggested by the Examiner.

**II. REJECTIONS UNDER 35 U.S.C. §102(b)**

Claims 3-4 and 9-10 were rejected under 35 U.S.C. §102(b) as allegedly anticipated over U.S. Patent No. 5,719,982 to Kawamura (hereinafter, merely "Kawamura").

Claim 3 recites, *inter alia*:

"An information reproducing apparatus ... comprising:

reproducing means for reproducing clusters of recording units containing packets, at least one of said recording units containing a start part of encoded image data subjected to intra-frame coding on the basis of the information of said start part added in said recording unit, the encoded image data including an identifier for identifying said packets containing said start part, for identifying presence or absence information identifying the presence or absence of said encoded image data subjected to intra-frame coding and for identifying a count representing the number of encoded image data subjected to intra-frame encoding in said cluster; and

skip playback means for reproducing said recording unit containing at least the start part, and then skipping a predetermined number of recording units to detect a start part in a subsequent cluster." (emphasis added)

As understood by applicant, Kawamura relates to data decoding suitable for a compressed moving picture, audio information and so forth recorded on a disc or the like. A pack header and a packet header are separated from information reproduced with the video signal. A time code is extracted from the header of a GOP (Group of Pictures). Successive time codes are added, by interpolation, to those pictures (B pictures and P pictures) of the GOP to which time codes have not been assigned.

Applicant respectfully submits that Kawamura does not teach or suggest reproducing means for reproducing clusters of recording units containing packets, at least one of said recording units containing a start part of encoded image data subjected to intra-frame coding on the basis of the information of said start part added in said recording unit, the encoded image data including an identifier for identifying said packets containing said start part, for identifying presence or absence information identifying the presence or absence of said encoded image data subjected to intra-frame coding and for identifying a count representing the number

of encoded image data subjected to intra-frame encoding in said cluster; skip playback means for reproducing said recording unit containing at least the start part, and then skipping a predetermined number of recording units to detect a start part in a subsequent cluster; all as recited in claim 3.

Therefore, applicant respectfully submits that claim 3 is patentable.

For reasons similar to those described above with regard to independent claim 3, independent claim 9 is also believed to be patentable.

### III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 16-18 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Published Patent Application No. 20040170390 to Kim (hereinafter, merely “Kim”), in view of Kawamura.

Claim 16 recites, *inter alia*:

“A digital broadcasting receiving apparatus ... comprising:

reproducing means for reproducing clusters of recording units containing packets, at least one of said recording units containing a start part of encoded image data subjected to intra-frame coding on the basis of the information of said start part added in said recording unit, the encoded image data including an identifier for identifying said packets containing said start part, for identifying presence or absence information identifying the presence or absence of said encoded image data subjected to intra-frame coding and for identifying a count representing the number of encoded image data subjected to intra-frame encoding in said cluster; and

skip playback means for reproducing said recording unit containing at least the start part, and then skipping a predetermined number of recording units to detect a start part in a subsequent cluster.” (emphasis added)

As understood by applicant, Kim relates to a method and apparatus for creating and recording management information for digital data streams, and for reproducing data using the management information such as access time and target entry point both associated with object units. The method for reproducing data from a recording medium includes receiving an access time for accessing data from the recording medium, searching for a target entry point based on the access time by using access time entries, and searching for a target object unit by using the target entry point and object unit entries. The access time entries and the object unit entries are management information stored on the recording medium.

Applicant respectfully submits that neither Kawamura, nor Kim, individually or in combination, teach or suggest reproducing means for reproducing clusters of recording units containing packets, at least one of said recording units containing a start part of encoded image data subjected to intra-frame coding on the basis of the information of said start part added in said recording unit, the encoded image data including an identifier for identifying said packets containing said start part, for identifying presence or absence information identifying the presence or absence of said encoded image data subjected to intra-frame coding and for identifying a count representing the number of encoded image data subjected to intra-frame encoding in said cluster; skip playback means for reproducing said recording unit containing at least the start part, and then skipping a predetermined number of recording units to detect a start part in a subsequent cluster; all as recited in claim 16.

Therefore, applicant respectfully submits that claim 16 is patentable.

#### **IV. DEPENDENT CLAIMS**

The other claims are dependent from one of the independent claims discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

#### **V. ALLOWABLE SUBJECT MATTER**

Claims 1, 2, 5-8, 11-15 and 19 were allowed by the Examiner.

Applicant gratefully thanks the Examiner for allowing claims 1, 2, 5-8, 11-15 and

19.

**CONCLUSION**

Claims submitted by the instant document are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

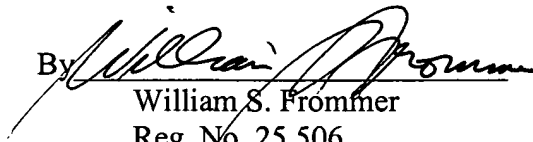
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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